

## **9900      GENERAL PROVISIONS**

9900.1 The terms and phrases used in this title shall have the meanings set forth in this chapter, unless the text or context of the particular chapter, section, subsection, or paragraph provides otherwise.

## **9901      DEFINITIONS**

**Administrative Procedure Act** - the District of Columbia Administrative Procedure Act, Pub. L. 90-614. (82. Stat. 1302, approved Oct. 21, 1968; D.C. Code § 1-1501, et seq.), as amended.

**Alley** - any public or private court, thoroughfare, or passage which is less than thirty feet (30. ft.) wide at any point or which is more than thirty feet (30. ft.) in width but does not open with a width of at least thirty feet (30. ft.) directly upon a public street. (23. DCR 2439)

**Appeals Board** - an administrative board made up of three (3) appointees of the Director to decide appeals brought by persons aggrieved by decisions of Hearing Examiners. Also referred to as the "Board." (25. DCR 7939. & 25. DCR 11028)

**Appellant** - a person who has submitted a notice of appeal for administrative review by the appeals board of final determination in his or her own case. (25. DCR 7939. & 25. DCR 11028)

**Arterial Street** - any U.S. or Interstate numbered route, controlled access highway, or other major radial or circumferential highway designated by the Council of the District of Columbia as part of the major arterial system of streets or highways. (C.O. 65-928)

**Authorized Emergency Vehicle** - a vehicle of any fire or police department and such ambulances and other vehicles as are designated or authorized as emergency vehicles by the Director. (C.O. 65-1115)

**Automotive Emissions Repair Technician** - a person professionally engaged in vehicle repair who is an employee or owner of a licensed motor vehicle repair facility. (41. DCR 4936)

**Bicycle** - a device which is propelled solely by human power; which is designed to be ridden by one (1) or more persons; which has a saddle or seat for each person that the device is designed and equipped to carry; which has a tandem arrangement of two (2) wheels (or is a device generally recognized as a bicycle though equipped with two front or rear wheels); and which has either one wheel at least twenty inches (20. in.) in diameter or is designed to be ridden on a roadway. This shall not include any device equipped with a motor or engine capable of propelling such device either exclusively or

in combination with human power, whether or not such motor or engine is in actual operation. (D.C. Law 1-110)

**Bicycle Registration Year** - a twelve (12) month period beginning and ending on dates designated by the Mayor. (Reg. No. 71-26)

**Bureau of Traffic Adjudication** - an administrative tribunal in the D.C. Department of Public Works established to accept answers to, conduct hearings on, and determine the disposition of charges of parking and certain moving traffic infractions within the District of Columbia; and to levy monetary fines, penalties, and other sanctions for such infractions; and to enter and enforce judgments. It is also referred to as the "Bureau." (25. DCR 7939. & 25. DCR 11028)

**Bus** - any vehicle having a seating capacity of (8) or more passengers, exclusive of the driver, and used for the transportation of passengers; and every motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation. (D.C. Law 1-60)

**Business District** - the territory contiguous to and including a roadway, when within any six hundred foot (600. ft.) distance along such roadway there are buildings in use for business or industrial purposes, including, but not limited to hotels, banks or office buildings, railroad stations, and public buildings which occupy at least three hundred feet (300. ft.) of frontage on one side or three hundred feet (300. ft.) collectively on both sides of the roadway.

**Central Business District** - that area within the following boundaries (including sidewalks): Beginning at 23rd Street and Massachusetts Avenue, Northwest, then east along Massachusetts Avenue to Second Street, Northeast, then south on Second Street to D Street, Southeast, then west on D Street in a line crossing Virginia Avenue, Southwest to 14th Street, Southwest, then north on 14th Street, Southwest to Constitution Avenue, Northwest, then west on Constitution Avenue to 23rd Street, Northwest, then north on 23rd Street, Northwest to Massachusetts Avenue, Northwest. (Reg. No. 71-26)

**Car-Sharing Vehicle** – any vehicle available to multiple users who are required to join a membership organization in order to reserve and use such a vehicle for which they are charged based on actual use as determined by time and/or mileage.

**Certificate of Manufacture** - a form supplied or approved by the Director, executed by the manufacturer (but verification shall not be required), certifying that a certain new trade name vehicle, giving model (letter or number), year, body (chassis, sedan, bus, panel, etc.), serial number, engine number, if any, shipping weight, and motive power, has been transferred to a person, giving his full name and address, and also certifying that such transfer was the first transfer of such new motor vehicle in ordinary trade and commerce.

**Certificate of Title** - a certificate of title, or a duplicate thereof, for a vehicle issued by a

state whose certificates of title are acceptable to the Director, or a duplicate thereof. (Upon request, the Director will furnish a list of such states.)

**Chief Examiner** - the Chief of any division of the Department which administers any statute, rule, or regulation out of which arises a contested case as such term is defined in the Administrative Procedure Act.

**Chief Hearing Examiner** - a person appointed by the Director to adjudicate cases and to supervise the routine scheduling, procedures, and duties of Hearing Examiners and Hearing Clerks. (25. DCR 7939. & 25. DCR 11028)

**Civilian Crossing Guard** - any person, other than a police officer, authorized to direct or regulate traffic.

**Commercial Vehicle** – any vehicle with more than three (3) wheels and: (a) Greater than twenty-two (22) feet in length; or (b) Used or maintained for transporting freight, merchandise, or other commercial loads or property.

**Commuter Vehicle** - a motor vehicle parked on a residential street by some one who does not reside in that residential permit parking zone. (D.C. Law 5-185)

**Congested District** - the area bounded by the north curb of Massachusetts Avenue from 20th Street to 3rd Street, the west curb of 3rd Street from Massachusetts Avenue to D Street, the east curb of 3rd Street from D Street to Constitution Avenue, the South curb of Constitution Avenue from 3rd Street to 15th Street, the west curb of 15th Street from Constitution Avenue to New York Avenue, the south curb of Pennsylvania Avenue (President's Square) from 15th Street to 17th Street, the east curb of 17th Street from Pennsylvania Avenue to Constitution Avenue, the north curb of Constitution Avenue from 17th Street to 23rd Street, the west curb of 23rd Street from Constitution Avenue to F Street, the South curb of F Street from 23rd Street to 19th Street, the west curb of 19th Street from F Street to Pennsylvania Avenue, the south curb of Pennsylvania Avenue from 19th Street to Washington Circle, the north curb of New Hampshire Avenue from Washington Circle to 20th Street, the west curb of 20th Street from New Hampshire Avenue to Massachusetts Avenue, all in northwest. (27. DCR 458)

**Controlled Access Highway** - a highway, street, or roadway with respect to which owners or occupants of abutting property or lands and other persons have no legal right of access to or from the same, except at such points only and in such manner as may be determined by the Council.

**Conviction** - a conviction in any court of competent jurisdiction which has become final following an appeal or after the time allowed for such appeal has expired. Also for purposes of this title, an unvacated forfeiture of bail or collateral deposited to secure the appearance of a defendant in court, a plea of nolo contendere accepted by a court, the payment of a fine, a plea of guilty or a finding of guilt on a traffic charge, shall be equivalent to a conviction, regardless of whether the penalty is rebated, suspended, or

probated.

**Council** - the Council of the District of Columbia. (D.C. Law 5-185)

**Course or Senior Citizen Motor Vehicle Accident Prevention Course** - a course of instruction approved by the Director pursuant to § 911. of this title that shall be open to any member of the public fifty-five (55) years or older for the purpose of qualifying for an insurance premium reduction pursuant to the provisions of the Senior Citizen Motor Vehicle Accident Prevention Course Certification Act of 1983, effective February 9, 1984, D.C. Law 5-46; D.C. Code §§ 40-491. et seq. (1985. Supp.). (33. DCR 2055)

**Crosswalk** - that part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs, or in the absence of curbs, from the edges of the transversable roadway; or any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

**Cut-Off Roadway** - a connecting roadway for traffic turning between two intersecting roadways.

**Dealer** - any person engaged in the business of buying, selling, distributing, exchanging, or dealing in motor vehicles or trailers. The term shall include, but not be limited to, “new car dealer” and “used car dealer.”

**Dealer’s Proof of Ownership** - evidence of ownership issued by the Director to a dealer who has acquired a used car by transfer of ownership other than through the assignment of a certificate or certificate of title.

**Department** - the Department of Public Works. (D.C. Law 5-185)

**Director** - the Director of the Department of Motor Vehicles or the Director of the Department of Public Works, as applicable.

**District or D.C.**-District of Columbia. (D.C. Law 2-104)

**Driver or Operator** - a person who drives or is in actual physical control of a vehicle or bicycle.

**Domestic Jurisdiction** - any of the fifty (50) states (and their political subdivisions) and any territory or possession of the United States (30. DCR 990)  
Emissions recall notice-Either a “voluntary emissions recall” as defined at 40. CFR § 85.1902(d) or a remedial plan determination made pursuant to section 207© of the Clean Air Act. (44. DCR 5966).

**[Electric Personal Assistive Mobility Device"** or **"EPAMD"** means a device, designed to transport only one person, with an electric propulsion system that limits the maximum speed of the device to 10 miles per hour or less.]

**Evidence of Ownership** - the indication of ownership of a motor vehicle, whether in the form of a certificate, a certificate of title, a certificate of manufacture, a dealer's proof of ownership, or indicia of ownership, as may be required by the laws of the jurisdiction in which such vehicle is registered for the current registration year or was last registered.

**Executed** - signed in ink by a person in his or her true and lawful name, otherwise by an individual duly authorized to sign for any corporation, partnership, or other unincorporated organization.

**Examiner** - a member of any division of the Department assigned by the Chief of such Division to conduct hearings and other proceedings required or permitted by the Administrative Procedure Act.

**Farm Tractor** - every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry.

**Fine** - an amount of money to be paid to the District of Columbia as a sanction for violating the traffic laws of the District of Columbia. (25. DCR 7939. & 25. DCR 11028)

**Fire Lane** - any private roadway designated by the Fire Chief, pursuant to 12. DCMR on which parking is prohibited. (32. DCR 1526)

**Forfeiture** - any forfeiture of collateral or bail deposited to secure an appearance for trial.

**Foreign Jurisdiction** - any jurisdiction (or its political subdivision) which is not a domestic jurisdiction, and is not the District. (30. DCR 990)

**Funeral Car** - any vehicle used exclusively to carry passengers for funeral purposes. (D.C. Law 1-60)

**Gross Weight** - the weight of a vehicle including the load on the vehicle.

**Hearing Division** - any division of the Department which administers any statute, rule, or regulation out of which arises a contested case (as such term is defined in the Administrative Procedure Act).

**Hearing Examiner** - a person appointed by the Director to adjudicate cases arising from the issuance of tickets for parking and certain moving violations in accordance with chapter 30. of this title.

**Hearing** - a proceeding of relative formality with definite issues of fact or law to be tried in which parties proceeded against, or parties whose rights, duties or privileges are in issue in any manner, have a right to be heard, following which the trier of fact may make an initial or final decision concerning such rights, duties, or privileges.

**Highway** - the entire width between the boundary lines of every publicly maintained way, when any part thereof is open to the use of the public for purposes of vehicular or pedestrian travel. (Reg. No. 71-26)

**Historic Motor Vehicle** - any motor vehicle whose manufacturer's model year is at least twenty-five (25) years old or motor vehicle which is at least fifteen (15) years old and is a

make of motor vehicle no longer manufactured: Provided, that the motor vehicle has been or is being restored, preserved, or maintained as an exhibition or collector's item because of its special historical value or significance, has not been substantially altered or modified from the manufacturer's original specifications, and is used on the public highways for the transportation of passengers or property in conjunction with exhibitions, expositions, parades, tours, club activities, or similar activities or events, including transportation directly to and from such activities or events, but in no event used for general transportation. Motor vehicles which are less than twenty-five (25) years old but which are fifteen (15) or more years old and which qualify as historic motor vehicles shall include but not be limited to the following makes which are no longer manufactured: Kaiser, Hudson, DeSoto, Nash, Edsel, Studebaker, and Packard. (D.C. Law 2-41)

**Infraction** - any conduct subject to administrative adjudication under the provisions of the District of Columbia Traffic Adjudication Act of 1978. and with respect to which the Corporation Counsel does not commence a proceeding in the Superior Court of the District of Columbia. (D. C. Law 2-104)

**Inspection Station** - a safety inspection station owned and operated by the District for the mechanical inspection and testing of vehicles and the equipment and accessories affixed to vehicles.

**Instrument** - any security agreement creating a lien, as defined in D.C. Code § 28:9-105(h).

**Intersection** - the area embraced within the prolongation or connection of the lateral curb lines or, if none, then of the lateral boundary lines of two (2) or more roadways which join one another at an angle, whether or not one such roadway crosses the other; Provided that, where a highway includes two (2) roadways thirty feet (30. ft.) or more apart, every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two (2) roadways thirty feet (30. ft.) or more apart, then every crossing of two roadways of such highways shall be regarded as a separate intersection.

**Issuing Officer** - a person empowered to issue a Notice of Infraction for a traffic violation; that is, a police officer, a parking control aide, or other public officer or employee authorized by this title to issue the notice. (25. DCR 7939. & 25. DCR 11028)

**Judicial Sale** - a sale by an officer or other person duly appointed and commissioned to sell a motor vehicle under the process of a court having competent authority to order the sale.

**Laned Roadway** - a roadway which is divided into two (2) or more clearly marked lines for vehicular traffic.

**Legal Resident of the District** - any person residing within the District unless the person can show to the satisfaction of the Director that the person is a legal resident of another jurisdiction. (30. DCR 990)

**Lessor** - any owner of a vehicle engaged in the business of renting or leaving vehicles to be used or operated in the District. (D.C. Law 2-104)

**License** - a license or permit to operate a motor vehicle or any license issued under the laws of the District of Columbia, including the following:

- (a) A driver's license;
- (b) A temporary or learner's permit;
- (c) The privilege of any person to drive a motor vehicle whether or not such person holds a valid license issued by the District of Columbia;
- (d) The privilege conferred upon a nonresident by the laws of the District of Columbia pertaining to the operation by such nonresident of a motor vehicle;
- (e) A license issued to any person permitting that person to engage in the business of teaching, for any consideration, directly or indirectly, applicants for a District of Columbia driver's license; and
- (f) Any other license issued under authority delegated to the Director.

**Lien** - a right or interest in or to any security interest as defined in D.C. Code § 28:1-201, in or upon any motor vehicle or trailer, or the equipment or accessories affixed or sold to be affixed thereto, in favor of a person other than the owner, except the following:

- (a) A sale of such motor vehicle or trailer accompanied by possession and an execution of the assignment on the back of the certificate covering it; or
- (b) Any possessory lien now or hereafter provided by law or any lien acquired in any judicial proceeding.

**Lien Information** - the amount, kind, date of lien, name and address of holder or secured party as defined in D.C. Code § 28:9-105(i), and recorder's number, if any.

**Loading** - the expeditious unloading and delivery of materials to, or the pickup and loading of materials from a curb-side elevator or chute, or a store, shipping room, loading dock, or similar place of pickup and delivery. "Loading" shall not include waiting for such pick-up or delivery. (C.O. 55-130)

**Loading Zone** - a space adjacent to a curb for exclusive use of commercial vehicles during the loading or unloading of materials.

**Materials** - goods, wares, or merchandise of any description.

**Member of the Armed Forces** - a person in the active service of the Air Force, Army, Marine Corps, Navy, Coast Guard and the uniformed forces of the Public Health Services of the United States. (30. DCR 990)

**Member of Congress** - a Senator, Representative, or Delegate to the United States Congress. (30. DCR 990)

**Metal Tire** - every tire, the surface of which in contact with the highway is wholly or partly of metal or other hard, non-resilient material.

**Metropolitan Area** - the District; the cities of Alexandria, Falls Church, and Fairfax; the counties of Fairfax and Arlington in Virginia; and the counties of Montgomery and Prince Georges in Maryland.

**Military Tactical Vehicle** - a motor vehicle designed to military specification or a commercial design motor vehicle which is needed to meet direct transportation support of combat, combat support, combat services support, tactical, or relief operations, or for training of personnel for such operations. (41. DCR 4936)

**Moped** – a motorcycle or motorized bicycle equipped with functional pedals.

**Motorcycle** - any motor vehicle other than a motorized bicycle having either a tandem arrangement of two (2) wheels or a tricyclic arrangement of three (3) wheels and having a seat or saddle for the use of the operator, but not including a tractor. (D.C. Law 1-110)

**Motor** - driven Cycle - any motorcycle having a motor or engine which produces five (5.0) brake horsepower (S.A.E. rating) or less. (D.C. Law 1-110)

**Motorized Bicycle** - any motor vehicle having either a tandem arrangement of two wheels equipped with tires which are sixteen inches (16. in.) or more in diameter or a tricyclic arrangement of three (3) wheels equipped with tires which are sixteen inches (16. in.) or more in diameter, having a seat or saddle for the use of the operator, having an automatic transmission, and having a motor or engine which produces not more than one and one-half (1.5) brake horsepower (S.A.E. rating), has a piston displacement of not more than fifty cubic centimeters (50. cc), and is capable of moving the vehicle at a maximum speed of not more than thirty-five miles per hour (35. mph) on level ground when propelled exclusively by such motor or engine. (D.C. Law 1-110. & D.C. Law 3-125)

**Motor Scooter** – REPEALED

**Motor Vehicle** – any vehicle propelled by internal-combustion engine, electricity, or steam, including any non-operational vehicle that is being restored or repaired. The term "motor vehicle" shall not include road rollers, farm tractors, vehicles propelled only upon stationary rails or tracks, electric personal assistive mobility devices, and battery-operated wheelchairs when operated by a handicapped person at speeds not exceeding 10 miles per hour.



**Motor Vehicle Housed Within the District** - any motor vehicle left regularly overnight within the District. (30. DCR 990)

**Motor Vehicle Insurance Policy** - any insurance policy that is required or issued pursuant to the No-Fault Insurance Act. (30. DCR 4757)

**Motor Vehicle Safety Inspection Standards** - the standards prescribed in the Motor Vehicle Inspection Manual of the District of Columbia for safety equipment, materials, and condition of motor vehicles inspected by the Department.

**Motorized Wheelchair** - a battery operated chair on wheels, designed for, and used primarily by a handicapped person, that is incapable of a speed in excess of eight (8) miles per hour. (35. DCR 2566)

**Mountable (bicycle) Rack** - any device designed for the use of transporting one or more bicycles by means of a motor vehicle. (Reg. No. 71-26)

**Moving Infraction** - a violation of any law, rule, or regulation which regulates the movement of vehicles in the District of Columbia and for the adjudication of which the respondent is not entitled to trial by jury.

**Multi-Space Parking Meter – A parking meter serves more than one parking meter zone**

**New Car Dealer** - a manufacturer or a branch office of a manufacturer engaged in selling new vehicles only or a person having an established place of business located within the District, who is the holder of a franchise for the sale of new vehicles and of a motor vehicle dealer's license, and who is engaged in the business of buying, selling or exchanging vehicles.

**New Vehicle** - any vehicle owned by its manufacturer, or a dealer holding a valid franchise for the sale of such vehicle, or a bank or a finance company and which has never before been titled or registered in this or any other jurisdiction, except the kind of title issued only to dealers; Provided, that a vehicle may also be classified as a "NEW" vehicle when titled for the first time in the District of Columbia by any person applying for a certificate of title who produces a Manufacturer's Statement of Origin or other evidence of ownership in the form required by the laws of the jurisdiction in which the vehicle was purchased, and which vehicle has never before been titled or registered in any jurisdiction.

**No-Fault Insurance Act** - the Compulsory/No-Fault Motor Vehicle Insurance Act of 1982, effective September 18, 1982. (D.C. Law 4-155, D.C. Code § § 35-2100. et seq. (1981)). (30. DCR 4757)

**Nonresident's Operating Privilege** - the privilege conferred upon a nonresident by the laws of the District of Columbia pertaining to the operation by that person of a motor vehicle, or the use of a motor vehicle owned by that person in the District of Columbia.

**Notice of Infraction** - a multi-part form, commonly referred to as a "ticket," consisting of a complaint copy for use by the adjudicating tribunal and a summons or notice copy for the person charged with violation of a traffic law. It is also referred to simply as the "Notice." (25. DCR 7939. & 25. DCR 11028)

**Official Traffic Control Device** - any sign, signal, marking, or device not inconsistent with this title placed or erected by authority of the Council of the District of Columbia or the Director for the purpose of regulating, warning, or guiding traffic.

Operate (a bicycle)-to ride, walk with, park, stand, or be in possession of a bicycle on public space within the District. (C.O. 71-26)

**Operator** - Any of the following: (D.C. Law 2-104)

- (a) Any person, corporation, firm, agency, association, organization, or federal, state, or local government agency in the business of renting or leasing vehicles to be used or operated in the District;
- (b) An owner who operates his own vehicle; or
- (c) A person who operates a vehicle owned by another.

**Owner** - any of the following: (D.C. Law 2-104)

- (a) Any person, corporation, firm, agency, association, organization, or federal, state, or local government agency or other authority or other entity having the property of or title to a vehicle or bicycle used or operated in the District;
- (b) Any registrant of a vehicle used or operated in the District;
- (c) Any person, corporation, firm, agency, association, organization, Federal, State or local government agency or authority or other entity in the business of renting or leasing vehicles or bicycles to be used or operated in the District; and
- (d) Any person who is a parent or guardian of a child less than eighteen years of age who possesses a bicycle shall be the "owner."

**Park or Parking** - the standing of a vehicle, whether occupied or not, other than temporarily for the purpose of, and while actually engaged in, loading or unloading merchandise or passengers. (C.O. 57-1966)

**Parking Infraction** - a violation of any law, rule or regulation providing for or regulating the parking, stopping, or standing of a vehicle. (25. DCR 7939. & 25. DCR 11028)

**Parking Meter** - a mechanical or electronic device located upon a sidewalk or public parking adjacent to one or more places regularly designated as a parking meter zone, which measures and displays the amount of time remaining for lawful parking or which issues a receipt indicating the time at which lawful parking will expire.

**Parking Meter Zone** - a certain designated and marked-off section of a public roadway within the marked boundaries of which a vehicle may be temporarily parked and allowed to remain for such period of time as indicated on a parking meter or on receipt issued by a parking meter serving that zone.

**Parking Space** - a twenty foot (20. ft.) long area of street, alongside the curb, where motor vehicles may lawfully park. (D.C. Law 5-185)

**Passenger Vehicle** - any vehicle other than a commercial vehicle, with more than three (3) wheels, designed, used, or maintained for passenger, recreational, or other non-commercial purposes, except such vehicles used for livery, rental, sightseeing, or taxi purposes. (D.C. Law 4-93)

**Pedestrian** - any person afoot or who is using a wheelchair or motorized wheelchair. (35. DCR 2566)

**Penalty** - an amount of money to be paid to the District of Columbia for failure to answer a Notice of Infraction within the time specified in chapter 30, or for failure to appear at a scheduled hearing. (25. DCR 7939. & 25. DCR 11028)

**Person** - an individual, partnership, corporation, or unincorporated association. (Reg. No. 74-5)

**Pneumatic Tire** - a tire in which compressed air is designed to support the load.

**Pole Trailer** - a vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregularly shaped loads such as poles, pipes, or structural members capable, generally, of sustaining themselves as beams between the supporting connections.

**Police Cadet** - a member of the Police Cadet Corps authorized to direct or regulate traffic. (C.O. 68-421a)

**Police Officer** - an officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

**Police Official** - a police officer other than an officer who has made an arrest, who is acting in a supervisory capacity at the time he or she performs the functions described for such official in this title.

**Private Dwelling** - a building used exclusively for living purposes.

**Private Road or Driveway** - a way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

**Prorated Interstate Bus** - a bus used in interstate commerce which qualifies for prorated registration under Title II of Public Law 89-11.

**Public Highway** - a road, street, alley, or way in the District open to the public as a matter of right for the purposes of vehicular traffic.

**Public Service Commission** - the Public Service Commission of the District of Columbia established by section 8. of the Act of March 4, 1913, as amended (D. C. Code § 43-201).

**Public Space** - all publicly owned property in the District.

**Public Vehicle for Hire** - a taxicab, limousine, ambulance, funeral car, sightseeing vehicle, or other vehicle whose owners or operators extend the use of such vehicles with a driver to the public for hire. The term does not include vehicles confined to rails or tracks, or vehicles which travel over a defined route or routes on regular schedules and are not used exclusively for sightseeing purposes, or vehicles rented without drivers and used exclusively for the personal and private use of the lessee, or vehicles used exclusively for purposes other than transporting passengers. (D.C. Law 1-60)

**Rack** - any device designed for the temporary storage of one or more bicycles. (Reg. No. 71-26)

**Railroad** - a carrier of persons or property upon cars operated upon stationary rails. (C.O. 65-1115)

**Railroad Sign or Signal** - any sign, signal, or device erected by authority of the Commissioners or by a railroad and intended to give notice of the presence of railroad tracks or the approach of a railroad train.

**Railroad Train** - a steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails.

**Reciprocity Period** - the length of time for which a reciprocity sticker is valid. (30. DCR 990)

**Reciprocity Sticker** - a permit officially issued by the Department authorizing an owner or operator of a motor vehicle to house and operate a vehicle within the District for a specified period of time. A reciprocity sticker does not constitute registration. (30. DCR 990)

**Recorder** - the Recorder of Deeds for the District, or his or her designated agent.

**Registrant** - an owner of a vehicle for which valid registration exists.

**Registration** - the acts of the Director in registering a vehicle, issuing and delivering a registration card and owner's identification tags or special bus identification to a registrant, dealer, or owner of a prorated interstate bus.

**Registration Certificate** - a certificate or its duplicate issued by the Director to a registrant, containing any or all of the information that appeared on his or her application for registration, the number of the owner's identification tags issued to the registrant for use on the vehicle described on such card and such other information as the Director may determine, or a registration certificate or its duplicate, issued by the Director to a new car dealer, or used car dealer, containing any or all of the information that appeared on his or her application for dealer's identification tags, the number of the dealer's identification tags issued to the new car dealer or used car dealer for use as provided by this chapter and any other information as the Director may require.

**Registration Tag (bicycle)**-a numbered stamp or sticker issued for a bicycle which shall identify the bicycle as having been registered for a current bicycle year. (Reg. No. 71-26)

**Repair Shop** - a place of business located within the District of Columbia, engaged in performing one or more types of work on motor vehicles, including general or specialized mechanical work, body and fender work, upholstery, glazing, or painting.

**Residence District** - all territory not designated as a business district, except National Capital parks and government reservations.

**Residential Area** - a contiguous or nearly contiguous area containing public highways or parts thereof primarily abutted by residential property or residential and non business property (such as schools, parks, churches, hospitals, and nursing homes), and designated as such by the Mayor. (Reg. No. 74-25)

**Residential Permit Parking Sticker** - the certificate of permission, under the provisions of § 2411 through § 2416, for a resident of a residential permit parking zone in the District to park a motor vehicle in that zone beyond the limits generally imposed upon motor vehicles parked in the zone. (D.C. Law 5-185)

**Respondent** - a person who has been issued a Notice of Infraction and who has not yet paid the fine or received a final determination in a hearing.

**Restricted Lanes** - traffic lanes where use is restricted according to class of vehicle occupancy or type of vehicle, for example: buses; carpools; taxicabs; motorcycles; bicycles; motorized bicycles; high occupancy vehicles (HOV); and vehicles transporting handicapped persons. (35. DCR 2204)

**Retitled Vehicle** - a vehicle purchased new and continuously owned by the applicant for a certificate even though it has been previously titled or registered by such applicant in another jurisdiction.

**Review** - a review of the record of any Department order of decision when the review is provided by law to determine whether the order of decision is within the scope and authority of powers delegated to the Department and is otherwise in accordance with law.

**Revocation** - the termination of a person's license or privilege to operate a motor vehicle in the District which shall not be subject to renewal or restoration except that an application for a new license may be made after the expiration of the period of time of such revocation.

**Right-Of-Way** - the right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision unless one vehicle grants precedence to the other. (C.O. 65-1115)

**Road Tractor** - every motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereon either independently or any part of the weight of a vehicle or load so drawn.

**Roadway** - that portion of a highway which is improved, designed, or ordinarily used for vehicular travel. In the event a highway includes two or more separate roadways, the term "roadway" as used herein shall refer to any such roadway separately, but not to all such roadways collectively. (Reg. No. 71-26)

**Saddle-mount** - a device designed and constructed so as to be readily attached to or detached from a motor vehicle, which device is used in driveaway towaway operations to perform the functions of a conventional fifth (5<sup>th</sup>) wheel in providing a flexible coupling between a towing vehicle and a towed vehicle. The single saddle-mount method means the use of one saddle-mount to couple the rear of a towing vehicle with the front or rear of a towed vehicle in such manner that the front wheels of the towed vehicle are raised. The double saddle-mount method means the use of two (2) saddle-mounts to couple three (3) vehicles by mounting the front (rear) of the second vehicle on the rear (front) of the first vehicle and the front (rear) of the third (3<sup>rd</sup>) vehicle on the rear (front) of the second vehicle in such manner that the front (rear) wheels of both towed vehicles are raised. (C.O. 61-1684)

**Safety Responsibility Act** - the Motor Vehicle Safety Responsibility Act of the District of Columbia (D. C. Code § 40-418).

**Safety Zone or Loading Platform** - the area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

**School Bus** - a bus which is regularly used by or on behalf of a school to transport children to or in connection with school activities; Provided, that this definition shall not include buses operated by common carriers which are not used primarily for the transportation of school children, or vehicles owned by the United States government. (D.C. Law 1-60)

**Semi-trailer** - a vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some of its weight and that of its load rests upon or is carried by another vehicle.

**Serial Number (bicycle)**-a number stamped on a bicycle frame in accordance with this title, which is recorded for purposes of verifying bicycle ownership. (Reg. No. 71-26)

**Service Roadway** - a roadway contiguous to and generally parallel to a freeway or through street and separated from such facility by an intervening space or physical barrier designed so as to give access to abutting property. (C.O. 65-1115)

**Service Vehicle** - any vehicle used primarily for towing, pushing or transporting other vehicles, picking up or delivering parts and materials, or for transporting customers.

**Sidewalk** - that portion of a street between the curb lines or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians. (Reg. No. 71-26)

**Sidewalk Bicycle** - a device which would be included within the definition of "bicycle" as set forth in this section, except for the fact that such device either has two (2) or more wheels, all of which are less than twenty inches (20. in.) in diameter, or is not designed to be ridden on a roadway. (Reg. No. 71-26)

**Single-Space Parking Meter** – a parking meter that serves no more than one parking meter zone.

**Solid Tire** - a tire of rubber or other resilient material which does not depend upon compressed air for the support of the load.

**Special Bus Identification** - a serially numbered identification sticker issued by the Director for use on prorated interstate buses.

**Special Mobile Equipment** - a vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved over a highway, including but not limited to: ditch digging apparatus, well boring apparatus and road construction and maintenance machinery such as asphalt spreaders, bituminous mixers, bucket loaders, tractors other than truck tractors, ditchers, levelling graders, finishing machines, motor graders, road rollers, scarifiers, earth moving carry-alls and scrapers, power shovels and drag lines, and self-propelled cranes and earth moving equipment. The term does not include house trailers, dump trucks, truck mounted transit mixers, cranes or shovels, or other vehicles designed for the transportation of persons or property to which machinery has been attached. (C.O. 65-340)

**Stanchion** - any publicly owned pole or post used as a support. (Reg. No. 71-26)

**Standing** - halting a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer, traffic control sign, or traffic signal; Provided, that a vehicle may stop momentarily to pick up or

discharge a passenger or passengers actually waiting at the curb, but not for loading materials.

**Stop** (when required)-the complete cessation of movement.

Stopping (when prohibited)-halting a vehicle except to avoid conflict with other traffic or in compliance with the directions of a police officer or a traffic control sign or signal.

**Street** - a block of a street, avenue, road, or highway. (D.C. Law 5-185)

**Streetcar** - a car other than a railroad train for transporting persons or property and operated upon rails.

**Suspension** - the temporary withdrawal of a person's license or privilege to operate a motor vehicle in the District.

**Taxicab** - any public vehicle for hire having a seating capacity of less than eight (8) passengers, exclusive of the driver, except ambulances, funeral cars, vehicles used exclusively for sightseeing purposes, or vehicles for which the rate is fixed solely by the hour.

**Temporary Permit** - a certificate of permission which, under the provisions of § 2411. through § 2416, temporarily provides the permit holder the same parking rights as those provided by the authority of a residential permit parking sticker. (D.C. Law 5-185)

**Through Street or Highway** - a street, highway, or portion of street or highway, at the entrances to which vehicular traffic from intersecting highways is required by law to stop before entering or crossing the same and when stop signs or flashing red signals are erected as provided in this title.

**Ticket** - a commonly used name for the Notice of Infraction. (25. DCR 7939. & 25. DCR 11028)

**Tractor-Trailer** - a truck tractor combined or coupled with a trailer or a semi-trailer. (33. DCR 3716)

**Traffic** - motor vehicles and all other vehicles, pedestrians, and animals of every description.

**Traffic Act** - the Act of March 3, 1925, as amended (D. C. Code §§ 40-301. through 40-303, 40-601. through 40-603, 40-605, 40-609. through 40-611, and 40-613. through 40-615). (C.O. 65-1115)

**Traffic Adjudication Act**-D. C. Law 2-104, as amended; the enabling legislation for the Bureau of Traffic Adjudication. (25. DCR 7939. & 25. DCR 11028)

**Traffic Control Signal** - any device, whether manually, electrically, or mechanically operated, by which traffic is alternately directed to stop and to proceed.



**Trailer** - a vehicle with or without motor power intended to be used for carrying property or persons and drawn or intended to be drawn by a motor vehicle, whether such vehicle without motor power carries the weight of the property or persons wholly on its own structure or whether a part of such weight rests upon or is carried by a motor vehicle.

**Truck Tractor** - a motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

**Used Car Dealer** - a person holding a valid license as a motor vehicle dealer and having an established place of business located on a street or avenue within the District with facilities for the display of used vehicles, who is engaged in buying, selling and exchanging used vehicles and who is registered in accordance with these regulations.

**Used Vehicle** - a vehicle other than a new or retitled vehicle.

**Vehicle** - any of the following:

- (a) A motor vehicle or trailer;
- (b) An appliance moved over a highway on wheels or traction tread including draft animals and beasts of burden.

**VIN Number** - the local government term for the serial number of a motor vehicle. (D.C. Law 5-185)

**Visitor Permit** - the temporary certificate of permission which, under the provisions of § 2411. through § 2416, temporarily provides the permit holder the same parking rights as those provided by the authority of a residential permit sticker. (D.C. Law 5-185)

**Wheelchair** - a chair on wheels, designed for, and used primarily by a handicapped person. (35. DCR 2566)

**Weekdays**-Monday through Friday, except on days on which holidays are celebrated. (D.C. Law 5-185)

**Yield** - yield right-of-way. (C.O. 65-1115)

**AUTHORITY:** Unless otherwise noted, the authority for this chapter is § 7 of an act to provide for annual inspection of all motor vehicles in the District of Columbia, approved February 18, 1938 (52 Stat. 78; D.C. Code § 40-207); § 6 of the District of Columbia Traffic Act of 1925, approved March 2, 1925, 43 Stat. 1119, 1121 (D.C. Code § 40-701, et seq.); § § 401 and 402 of Reorganization Plan No. 3 of 1967, effective August 11, 1967, filed August 11, 1967, D.C. Code Vol. 1 at 126 (1981 Ed.); Reorganization Plan No. 2 of 1975, effective July 25, 1975, 21 DCR 3198; 22 DCR 961; § 412 of the District of Columbia Self-Government and Governmental Reorganization Act as amended, 87 Stat. 790, Pub.L. No. 93-198, D.C. Code § 1-227(a); § 107 the District of Columbia Traffic Adjudication Act of 1978, D.C. Law 2-104, 25 DCR 1275 (August 11, 1978); the Motor Vehicle Registration Act of 1981, effective March 16, 1982, D.C. Law 4-80, 29 DCR 149 (January 8, 1982); the District of Columbia Traffic Act of 1925 Reform Amendments Act of 1982, effective July 1, 1982, D.C. Law 4-122, 29 DCR 2080 (May 21, 1982); § § IV(A) and V of Reorganization Plan No. 4 of 1983, 30 DCR 6428 (12-16-

83); the Compulsory/No Fault Motor Vehicle Insurance Act, effective September 18, 1983, D.C. Law 4-155, 29 DCR 3491 (August 13, 1982); and § 3(a) of the Senior Citizen Motor Vehicle Accident Prevention Course Certification Act of 1983, effective February 9, 1984, D.C. Law 5-46, 30 DCR 5638 (November 4, 1983).

**SOURCE: Regulation No. 72-13 effective June 30, 1972, 32 DCRR (October 19, 1970); as amended by** Commissioners' Order 55-130 effective January 18, 1955; by Commissioners' Order 57-1966 effective October 8, 1957; Commissioners' Order 61-1684 effective October 3, 1961; Commissioners' Order 65-340 effective March 16, 1965; Commissioners' Order 65-928 effective July 8, 1965; Commissioners' Order 65-1115 effective August 10, 1965; Commissioners' Order 68-421a effective June 19, 1968; Regulation No. 71-26 effective July 30, 1971; Regulation 74-5 effective April 21, 1974; by § 2 of the District of Columbia Bus Safety Inspection Act, D.C. Law 1-60, 22 DCR 4373 (February 12, 1976); by § 2 of the District of Columbia Motorized Bicycle Act, D.C. Law 1-110, 23 DCR 4954 (January 21, 1977); by § 2 of the Historic Motor Vehicle Act of 1977, D.C. Law 2-41, 24 DCR 3629 (November 11, 1977); § 102 of the D.C. Traffic Adjudication Act of 1978, D.C. Law 2-104, 25 DCR 1275, 1276 (August 11, 1978), Final Rulemaking published at 25 DCR 11028 (June 29, 1979) incorporating text of Proposed Rulemaking published at 25 DCR 7939, 7940 (February 16, 1979); Final Rulemaking published at 27 DCR 458 (February 1, 1980) incorporating text of Proposed Rulemaking published at 26 DCR 2470, 2472 (November 30, 1979); by § 2 of the Motorized Bicycle Amendment Act of 1980, D.C. Law 3-125, 28 DCR 226 (January 16, 1981); by § 2 of the District of Columbia Motor Vehicle Definition Act of 1981, D.C. Law 4-93, 29 DCR 749 (April 16, 1982); by Final Rulemaking published at 30 DCR 552 (February 4, 1983); by Final Rulemaking published at 30 DCR 990 (March 4, 1983); by Final Rulemaking published at 30 DCR 4757 (September 16, 1983); by § 2 of the Residential Permit Parking Regulations Amendment Act of 1984, D.C. Law 5-185, 32 DCR 859 (February 15, 1985); by Final Rulemaking published at 32 DCR 1536 (March 15, 1985); by Final Rulemaking published at 33 DCR 2055, 2060 (April 4, 1986); by Final Rulemaking published at 35 DCR 2204 (March 18, 1988); by Final Rulemaking published at 35 DCR 2566 (April 8, 1988); and by Final Rulemaking published at 41 DCR 4936 (July 22, 1994).





